

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

- against -

12 Cr. 309 (JGK)

RONALD HARRISON,

MEMORANDUM OPINION AND
ORDER

Defendant.

JOHN G. KOELTL, District Judge:

The pro se defendant moves pursuant to 18 U.S.C.
§ 3582(c)(2) for a reduction in his sentence.

On December 21, 2012, this Court sentenced the defendant principally to 72 months' imprisonment based on one Count of distribution and possession with intent to distribute cocaine, in violation of 21 U.S.C. §§ 812, 841(a)(1) and 841(b)(1)(C). The defendant was sentenced as a Career Offender under § 4B1.1 of the United States Sentencing Guidelines. The original Guidelines Range was 151-188 months, based on a total Offense Level of 29 and a Criminal History Category of VI. The Court varied downwardly in sentencing the defendant principally to 72 months' imprisonment.

The defendant argues that he is eligible for a sentence reduction based on the recent Amendment 782 to the Sentencing Guidelines. Amendment 782 to the Sentencing Guidelines

generally reduced the offense levels for drug offenses by two levels. However, Amendment 782 did not change the offense levels for defendants sentenced as Career Offenders. Cf. United States v. Martinez, 572 F.3d 82, 85 (2d Cir. 2009) (holding that "crack cocaine amendments," which also reduced the offense levels for certain drug offenses, did not affect defendant who was sentenced as a career offender pursuant to § 4B1.1). Therefore, the defendant's Guidelines range remains the same as when he was sentenced, and the Court may not reduce the defendant's sentence further. See Dillon v. United States, 560 U.S. 817, 827 (2010).

Accordingly, the defendant's motion is **denied**. The Clerk is directed to **close Docket Nos. 22 and 25**.

SO ORDERED.

Dated: New York, New York
March 25, 2015

_____/s/_____
John G. Koeltl
United States District Judge